



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

CANTON RAILROAD COMPANY

Maintenance of Way Employees

40 NMB No. 56

CASE NO. R-7356

CERTIFICATION

May 7, 2013

The services of the National Mediation Board (Board) were invoked by the Brotherhood of Maintenance of Way Employees Division on February 19, 2013, to investigate and determine who may represent for the purposes of the Railway Labor Act (RLA), as provided by Section 2, Ninth, thereof, personnel described as “Maintenance of Way Employees,” employees of Canton Railroad Company (Carrier).

At the time this application was received, these employees were represented by Canton Local No. 3.

The Board assigned Investigator Maria-Kate Dowling to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Maintenance of Way Employees, and by direction of the Board, the Investigator was instructed to conduct an election to determine the employees’ representation choice.

The following is the result of the election as reported by Investigator Dowling.

<u>Election Results for Maintenance of Way Employees</u>	
Eligible Employees	2
Total Valid Votes	2
Canton Local No. 3	0
BMWED	2
Write-in Votes	0
Void Votes	0
“No” Votes	0

The Board further finds that: the Carrier and employees in this case are, respectively, a Carrier and employees within the meaning of the RLA, as amended; this Board has jurisdiction over the dispute involved herein; and the interested parties, as well as the Carrier, were given due notice of the Board's investigation.

CERTIFICATION

NOW, THEREFORE, in accordance with Section 2, Ninth, of the RLA, as amended, and based upon its investigation pursuant thereto, the Board certifies that the Brotherhood of Maintenance of Way Employees Division has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Maintenance of Way Employees, employees of Canton Railroad Company, its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson
General Counsel